

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- versus -

JAIME ALFONSO SALGUERO-PEREZ,

Defendant.

ORDER

06-CR-774 (JG)

JOHN GLEESON, United States District Judge:

I conclude that Mr. Salguero-Perez is not entitled to a sentence reduction pursuant to 18 U.S.C. § 3582(c). He was sentenced to the mandatory minimum of ten years. Thus, unless the government were to agree to vacate the mandatory minimum charge, no relief would be permissible.

I acknowledge that I mentioned at sentencing (Sentencing Tr. at 25-26) that “mandatory minimums are really intended for kingpins and managers, not for people like him,” and I believe that he would likely not be charged with a mandatory minimum under the DOJ policy as revised in August 2013. I also acknowledge that in another case involving a defendant who should not have been charged with a mandatory minimum I have asked the United States Attorney to undertake a reconsideration of the earlier charging decision, and to consider agreeing to an order vacating the mandatory minimum sentence. However, in light of (1) Mr. Salguero-Perez’s apparent perjury at the hearing regarding the truthfulness of his safety valve proffer; and (2) administrative concerns, particularly since the amount of time at stake (*i.e.*, the difference between November 1, 2015 and Evans’ projected release date of February 2, 2016) is not great, it



does not seem appropriate to make a similar request – which imposes a significant burden on the government – in this case.

Accordingly, there shall be no reduction in sentence, and the oral argument scheduled for January 8, 2015 is cancelled.

So ordered.

John Gleeson, U.S.D.J.

Dated: January 6, 2015  
Brooklyn, New York